

USSN 10/087,034

**REMARKS**

Claims 1-3, 6-12 18-20, 29-31, 33, and 36-38 are pending in the above-identified patent application. Claims 13-17 and 21-28 are canceled by this Amendment.

**1. Cancellation of Withdrawn Claims**

In the Ex Parte Quayle Action mailed on March 24, 2004, the Examiner indicated that claims 13-17 and 21-28 are presented as withdrawn, but not canceled. Applicants have accordingly canceled claims 13-17 and 21-28 in this Amendment.

**2. Claims 18-20**

The Examiner indicated that claims 18-20 are presented as dependent on canceled claim 4. The Applicants respectfully disagree. In Applicants' Amendment dated January 16, 2004, claim 18 was amended to change its dependency from claim 4 to allowed claim 1. Please see the amended claim 18 on page 16, the first paragraph of Applicants' "Remarks" on page 22, and the first paragraph under "Election/Restriction" on page 22 of Applicants' January 16 2004 Amendment. Claims 19 and 20 depend from claim 18.

Claims 18-20 fall within elected Group 1 wherein A = Aryl, G1 – Benzofuran and G2 = non-heterocyclic, and accordingly have not been withdrawn or cancelled. Since base claim 1 is presently allowable and claims 18-20 are directed to elected subject matter, Applicants believe that dependent claims 18-20 are also allowable.

**3. Allowed Subject Matter**

The Applicants note with appreciation that claims 1-3, 6-12, 29-31, 33 and 36-38 are deemed allowable.

USSN 10/087,034

**CONCLUSION**

In view of the foregoing remarks and claim cancellations, the Applicants respectfully submit that each of the presently pending claims in the above-identified patent application is currently in condition for allowance. Accordingly, it is requested that the outstanding claim rejections be withdrawn, and that this case be passed to issuance.

If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided. No fees are believed due, but in the event it is determined that fees are due, please charge such fees to Applicants' deposit account No. 18-1700.

Respectfully submitted,



Robert C. Hall  
Reg. No. 39,209  
Attorney for Applicants

Roche Bioscience  
Patent Law Dept. M/S A2-250  
3401 Hillview Avenue  
Palo Alto, CA 94304

Direct Phone: (650) 354-7540  
Date: May 21, 2004